



PLANNING APPLICATIONS COMMITTEE

10am to 1.35pm

16 May 2013

Present: Councillors Bradford (chair), Sands (M) (vice chair), Ackroyd (to the end of item 5 below), Blunt, Button, Henderson (to the end of item 6 below), Howard (to the end of item 6 below), Kendrick, Little, Neale, Stonard and Storie

1. DECLARATION OF INTERESTS

Councillor Sands sought advice on declaring an interest in relation to item 6, below, application nos 13/00113/F and 13/00115/L Fire Station, Bethel Street, Norwich, NR2 1NW, because of his spouse's employment at the free school in Surrey Street. The solicitor to the committee (nplaw) advised that this did not constitute an interest and that Councillor Sands could participate in the determination of the applications.

2. MINUTES

RESOLVED to approve the minutes of the meeting held on 18 April 2013.

**3. APPLICATION NO 12/00875/O DEAL GROUND BRACONDALE NORWICH
12/00996/O DEAL GROUND, TROWSE AND NORTH BANK OF RIVER
WENSUM TO HARDY ROAD**

The chair by way of introduction said that several members of the committee had attended a site visit (Councillors Sands, Ackroyd, Button, Blunt, Henderson, Little, Neale, Stonard and Storie) on 14 May 2013 and that he knew the site well, having visited it on previous occasions.

The head of planning services introduced the report with the aid of plans, which displayed the broader area of the site and the administrative boundaries of the city council, Broadland District Council and South Norfolk Council, and pointed out the elements of the proposals which were subject to determination by the local planning authorities at South Norfolk Council and the Broads Authority. He referred to the constraints of the site and pointed out that it was the largest area of undeveloped land in the city and was a significant part of the East Norwich Regeneration Area as set out in the Joint Core Strategy.

The head of planning services then referred to the supplementary report of updates to reports, which was circulated at the meeting, and contained summaries of further

representations received in objection to the scheme, the officer response and references to the main report. Members were also advised that the applicant had also submitted a further letter in relation to the access agreement. Officers considered the access agreement was justified as it enabled the development of both strategic sites and was necessary in combination of the Grampian conditions recommended. Members concurred with the recommendation in the supplementary report that if the committee was minded to approve the applications, approval should be subject to an additional condition in relation to the provision of an emergency access route prior to first occupation of dwellings on the Deal Ground.

The senior planner (development) gave a detailed presentation of the report with the aid of plans and slides.

A representative of the company operating the aggregate plant and railhead adjacent to the Deal Ground site, and a representative of Norfolk County Council's minerals and waste planning service, outlined their concerns about the close proximity of residential units to the safeguarded mineral operation which could create conflict with future residents of the proposed development and constrain the future operation of the company; and was contrary to the National Planning Policy Framework (NPPF) and adopted county council policy. The key issue was noise and concern was expressed about the noise assessment and that noise issues would be included in reserved matters. The minerals and waste planning service officer said that his primary recommendation was that the application should be refused but if it was approved then a condition should be placed on it to ensure that the authority was consulted on reserved matters.

A resident of Whitlingham Lane addressed the committee and outlined his concerns that the risk of flooding was greater than that set out in the Environment Agency's response, with two severe floods occurring in the last century and concerns about changing climates. He expressed concern that emergency access to the site would be cut off by flood water.

A parish councillor, speaking on behalf of local residents and Trowse and Newton Parish Council, expressed concerns about the level of parking provision as part of the proposed development exacerbating existing problems with parking on Whitlingham Lane; that the development would lead to further congestion on existing roads and rat-running through Trowse into the city; that the bus service was limited; inadequate school provision; that it would be difficult for residents to obtain mortgages and insurance because of the flood risk and that the parish council supported the comments submitted by the Broads Authority.

Councillor Lewis, a member of South Norfolk Council, said that he was speaking as an individual and outlined his objections to the proposal, which included: parking for the "dining quarter"; flood risk; objections to the scale of the development; concerns about noise and dust from the minerals operation site; concern that the development was piecemeal and would prejudice future development and that the pedestrian bridge over the River Wensum would not be sufficient for access to the Utilities Site; concern about uncertainty about the undergrounding of the overhead power lines; that the sewage storage near to residential units would be unpleasant and that there was inadequate contributions for the affordable housing provision and contribution towards education. (A copy of his comments was displayed to the committee and submitted to the case officer.)

The secretary of the Norwich River Heritage Group summarised the group's concerns, which included: concern that the river frontages could have been dealt with more sympathetically; that there was not a pedestrian/cycle link from the city to Whitlingham Park and that the opportunity to provide a decent marina for the city had been lost.

The architect, on behalf of the applicant, then addressed the committee in support of the application and pointed out that the built environment could reduce the flood risk and improve the environment overall. The scheme included flood storage which was 1.5m to 3m above the marsh level and rain water harvesting.

The senior planner, together with the environmental protection officer, referred to the report and responded to the issues raised by the speakers, in relation to the proximity of the site to the aggregate plant, railhead and bridge. Members were advised of the methodology used to assess outside noise, under BS 412, from the works and the measures to mitigate it through the design of the development, which included mechanical ventilation on some parts of the site, the provision of an acoustic barrier between the buildings and the works, and conditions. It was not proposed to amend condition 9 and the county council would be included in any future consultation on reserved matters.

Discussion ensued in which the senior planner, together with the head of planning services, the environmental protection officer and the solicitor (nplaw) referred to the report and answered members' questions, on the flood risk, viability of the site and confirmation that it had been evaluated by a third party (NPS), and primary school places; the design and provision of swales and flood alleviation measures. Members were advised that the ability of future residents to obtain insurance or mortgages was not a material planning consideration.

During discussion members sought guidance that the development was not contrary to the NPPF and that the operators of the aggregate plant and rail head could be reassured that the development would not constrain its operations in the future. The senior planner explained that the noise assessment was the worse case scenario. The rail head was used to receive deliveries of aggregate and currently operated at a low level through the day with deliveries usually between 4pm to 8pm, but had permission to use it for up to 20 hours a day. Mechanical ventilation had been recommended for the Marsh Reach area for the design nearest to the works. The developer had agreed to remove the proposed tower block which would have been close to the aggregate plant from the proposals and landscaping and car parking was placed along this side of the site. Concern was expressed that although the buildings would act as a noise buffer there would be noise from the aggregate plant, rail head and bridge. Members were advised that the issues raised by the operators of the aggregate plant and rail head were legitimate concerns and that the officers had considered these and provided a response based on the technical reports and surveys and comments from the Environment Agency.

Councillor Little referred to the impact of domestic cats on wildlife and suggested that condition 10 should be amended to include specific reference to wet ditches around the wildlife parts of the site. Members concurred with this proposed amendment.

During discussion on road safety it was suggested there needed to be a safe route from the site to Lakenham Primary School. Members were advised that it would be difficult to provide a crossing across the three lanes of Bracondale and that the county council could not be conditioned to provide it as part of this development.

The chair declined the recommendation in the supplementary report to delegate authority to the head of planning services, in consultation with the chair of the committee to agree variations to the details set out in the recommendation prior to the final notice being issued. Following discussion the chair moved the recommendations set out in the report, as amended in relation to condition 10 and the inclusion of an additional condition relating to the provision of emergency access prior to the first occupation of the site.

RESOLVED, with 8 members in favour (Councillors Sands, Ackroyd, Blunt, Button, Howard, Kendrick, Little and Neale), 1 member voting against (Councillor Henderson) and 3 members abstaining (Councillors Bradford, Stonard and Storie) to approve:

- (1) application no 12/00875/O and grant planning permission, subject to:
 - (a) South Norfolk Council approving those elements within its administrative boundary
 - (b) the completion of a S106 Obligation to include the provision of affordable housing and contributions to transport and education.
 - (c) the signing of an access agreement .
 - (d) the provision of an emergency access route prior to first occupation of the Deal Ground.

and subject to the conditions below:

1. Spine road – non-standard 10 years full time limit.
2. With the exception of off-site highways works, the spine road shall be in accordance with the plans and details submitted.
3. Full technical details of the spine road, Yare bridge associated footways/cycleways/foul and surface water drainage/implementation.
4. No development until Highway Improvements offsite submitted and agreed.
5. Details of landscape treatment of spine road.
6. Arboricultural Implications Assessment/ Method Statement submitted and approved.
7. Non-standard outline time limit for the remainder of the site.
8. Reserved matters to relate to layout, appearance, landscaping and scale.
9. Reserve matter to be in line with the parameters set out in the outline application plan Amount, Massing and Accommodation and the design concept described in the Design and Access Statement in respect of the quantum, transport strategy, biodiversity mitigation and enhancement measures, approximate layout, height parameters, routes and open spaces within the site:
 - Notwithstanding illustrative materials submitted with the application reserve matters shall exclude 8 storey block (Marsh).
 - Reserve matters shall include a scheme for moorings on the River Wensum frontage (including de-masting facilities).
 - Notwithstanding the illustrative materials submitted with the application the detailed site layout within the Marsh Reach/Wensum Riverside areas and the appearance, internal room layout, and glazing and ventilation specifications

- shall be informed by the need to mitigate the impact of noise from adjacent sources(in particular the aggregate plant/rail head + bridge) in order to ensure satisfactory levels of amenity for future residents.
- Notwithstanding the illustrative materials - set back from River Yare and Wensum to be in accordance with parameters plan.
 - Notwithstanding the illustrative materials landscape details shall include a comprehensive landscape scheme /boundary treatment that shall seek to mitigate the visual and environmental impacts of the adjacent minerals site and railhead.
10. Submission of an Environmental Action Plan. The development shall be undertaken in accordance with the approved mitigation measures and to include provision of wet ditches around wildlife areas.
 11. Prior to submission of any reserve matters applications relating to blocks.facing/adjacent to River Yare/Wensum – submission of design code/approval in writing.
 12. Phasing plan to be agreed covering the whole site, including all areas of green infrastructure.
 13. Timetable for the provision of green infrastructure.
 14. Management plan submitted and all open spaces including details of management responsibilities.
 15. Reserve Matters shall include Energy , Water and Construction Strategy – to meet JCS requirements.
 16. Precise details ground levels/changes/slab levels.
 17. 10% of dwellings to be designed to lifetime homes standard.
 18. Restrictions small local centre – no more total 9 units/total gross floor area 1265sqm/unit size limit <500sqm/mix of uses PD restrictions.
 19. Restriction dining quarter – total gross space <1000sqm/mix/unit size max. PD/hours restrictions.
 20. No development until scheme for the undergrounding of the overhead power cables and removal of overhead line has been agreed in consultation with LPA
 21. No occupation of the May Gurney dwellings until over head cables/infrastructure have been removed (SNC condition)
 22. No commencement of dwellings on the Deal Ground until consent and full access arrangements are in place with all necessary landowners to facilitate public pedestrian and cycle access into perpetuity from The Street over the new Wensum Bridge to either the adopted highway or to the formal Riverside Walk network on the northern side of river.
 23. No occupation of any dwelling on the Deal Ground until Yare and Wensum bridges are in place /available for use and linked to adopted highway or formal Riverside Walk network.
 24. Details of design, construction and surfacing of roadways/footpaths and cycleways and phased delivery.
 25. Provision of parking, cycle and bin storage.
 26. Traffic regulations orders to support parking and access arrangements.
 27. External lighting of details.
 28. Conditions regarding management of construction traffic on and off site.
 29. Construction and Environmental Management Plan (including timing of works) be submitted and agreed.
 30. Provision and implementation of travel plan.
 31. Foul water strategy to be submitted and approved/no occupation until work implemented.

32. The development shall be constructed with a minimum finished floor level of 2.4mAOD, as detailed in the approved Flood Risk Assessment.
33. Details of a safe exit route – submitted and approved, implemented prior to first occupation.
34. Scheme for provision and implementation of compensatory flood storage works – constructed and completed prior to first occupation.
35. Modelling of proposed bridges and culverts – constructed and completed prior to first occupation.
36. Full surface water drainage scheme for the site submitted and approved/phased provision.
37. Full details of flood resilient construction measures submitted and approved.
38. Flood warning and evacuation plan submitted and approved – implementation prior first occupation.
39. Conditions regarding contamination and pollution.
40. Archaeology conditions.
41. Provision of fire hydrants.
42. Condition removing PD rights relating to conversion of any buildings to residential within the landscape buffer area.
43. Scheme /provision of bus facilities.
44. Condition in relation to brick kiln – remedial work/detailed scheme including setting.

(Reasons for approval: The environmental information submitted with the application has been taken into account in the determination of the application and the decision has been made with particular regard to the policies referred to in this report, including the National Planning Framework and other material considerations.

The Deal Ground comprises an extensive area of disused industrial land and has been identified for many years as a strategic priority for re-development. The site along with the adjoining May Gurney and Utilities site provide the potential for the major physical regeneration of east Norwich by bringing forward mixed development and enhanced green linkages and this is identified as a key objective in JCS 12. Although the proposals depart from Policy EMP9, the application is considered compliant with the NPPF by providing for a sustainable mix and scale of development which will facilitate this regeneration and make a substantial contribution to accommodating a strategic level of housing growth.

It is recognised that the site has significant constraints in terms of access, flood risk, noise environment, landscape and ecology. However, it is considered that the proposed development represents a comprehensive and integrated response to these constraints which manages and mitigates environmental impacts to an acceptable level.

The vision of creating an 'urban village', well connected with the city but integrated into a natural landscape provides the scope for a distinctive and sustainable development. The small local centre and dining quarter will provide local employment and assist the creation of a mixed vibrant development, but be of a scale to not result in an adverse impact elsewhere. The proposed transport strategy is considered a robust response to mitigating the transport impact of the development through actively promoting sustainable travel. The success of this

approach will rely on the early provision of the Wensum Bridge and the effective and long term performance of the Transport Management Association.

Although the site is at risk of flooding the substantial regeneration benefits associated with this development, which could not be achieved elsewhere, and the ability to make it safe, justify the development. Managing flood risk has informed the entire design concept with the result that property and people will be safe and that over all flood risk would be reduced in this location through the creation of a net gain in flood storage.

The landscape-led approach provides the opportunity for the creation of a high quality, distinctive residential environment with a strong sense of place. Although development will be high in density there are opportunities for good amenity levels accruing from the sense of landscape integration and views across the marshes to Whitlingham. It is recognised that noise associated with the adjacent asphalt plant, rail head and bridge has the potential to have a negative impact on parts of the site. However it is possible to mitigate this impact at reserve matter stages through careful design, which seeks to use building orientation, insulation and landscaping to create psychological separation and reduced noise levels. On this basis the broad distribution and quantum of development is considered justified and not prejudicial to the adjacent safeguarded minerals site.

The design approach responds to the rural fringe location by creating a multi-storey urban form within a strong landscape setting. Although it is acknowledged the visual change will be significant it is not considered that it will be adverse. The development will form part of a new gateway to the city created through the regeneration of east Norwich. The height of development, the loss of open space and the local impact on the Yare Valley character area have been balanced against the wide social and economic benefits associated with the regeneration of a brown field site

Most of the development is proposed on land with low biodiversity value but there are direct impacts on the existing Carrow Abbey CWS, a entropic flood plain fen and a UK BAP habitat of moderate to high ecological importance at a county level. The development strategy minimises direct impact on the fen habitat and includes mitigation and enhancements. Long term management will be introduced to arrest the current decline of the fen habitat and reverse the natural succession of the habitat to woodland. The ecological approach proposed to the CWS and wider site will result in a net gain in the biodiversity baseline

Taking the above matters in to account and the environmental information submitted it is considered that on balance given the need to provide housing and subject to conditions and the content of the S106 Obligation the proposals are considered to be acceptable.)

Article 31 (1) (cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Framework as well as the environmental information submitted, the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments to the Environmental Statement the application has been approved subject to appropriate conditions and for the reasons outlined above.

- (2) application no 12/00996/O and grant planning permission, subject to:
- (a) Broads Authority approving those elements within their administrative boundary
 - (b) To give delegated authority to the Head of Planning Services to agree either a planning obligation or conditions to align with any decision of the Broads Authority in relation to opening and mooring arrangements.

and subject to the following conditions, unless modified by clause (b) above:

1. Non -standard reserve matter time conditions
2. Reserve matters to include all matters /including technical construction of structure and mooring provision.
3. Bridge provides for public access for pedestrian and cycle traffic into perpetuity (may not required if included within legal agreement)
4. Scheme for future management of the structure
5. Conditions regarding groundwater and land contamination
6. Conditions regarding construction including traffic management

(Reasons for approval: The proposed bridge over the river Wensum is essential infrastructure for the sustainable development of the Deal Ground. The river crossing provides a direct and attractive pedestrian and cycle route towards the rail way station and the city centre. The provision of this route provides the opportunity to encourage sustainable travel and allows large scale development in this part of the city which otherwise would not be acceptable. In addition the bridge provides the opportunity to deliver wider public benefits by significantly improving cycle and pedestrian access in the south-east of the city and for the safer re-routing of the National Cycle Route No.1. Proposal is considered to be in accordance with the NPPF and other policies referred to in this report.

Article 31 (1) (cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and has been approved subject to appropriate conditions and for the reasons outlined above.

(The committee held a short adjournment and reconvened with all members present at 2.10pm.)

4. APPLICATION NOS 12/02266/F EARLHAM HALL AND ENVIRONS INCLUDING THE WALLED GARDEN, CAR PARK AND FORMER NURSERY AND DEPOT SITES, UNIVERSITY DRIVE OFF EARLHAM ROAD NORWICH NR4 7TJ

The senior planner (development) presented the report with the aid of plans and slides and pointed out that there had been a pre-application briefing for members. He proposed the recommendations be amended to increase the commencement time to 5 years to coordinate with the funding stream and the building of the second phase for the Earlham Hall development to 2021 and that an additional condition or

variation of condition 18, to require details of the walled garden to ensure the grassed setting was retained.

The café operator addressed the committee and commented on her concerns that dog walkers and other café and park users, including disabled users, would not be able to use the car park.

The head of planning services read out statements from two members of the public, who had been unable to remain at the committee because of the length of the previous item, and outlined their concerns in relation to the car parking and loss of spaces; disputing the outcome of the car park capacity survey, the effect of competition on the viability of the Earlham Park café; that groups of disabled people patronise the café and need to park nearby, and requesting that there was no further building on the university campus until the multi-storey car park was built.

Councillor Bremner, ward and divisional councillor for University Ward, spoke of the exemplar passivhaus technology proposed for this scheme and that the Enterprise Centre would provide a range of jobs which would benefit the city. He explained that the car park was not available for employees, students or people using the SportsPark. The car park would be managed and there would be free car parking spaces for the public to park for up to two hours during the week, with more spaces being available during the university vacations.

The applicant then spoke in support of the Enterprise Centre and explained the management and arrangements between the council and the university for the lease of the car park.

The senior planner (development) referred to the report and responded to the issues raised by the speakers. He pointed out that the university operated a travel plan and that the campus had good bus and cycle links. The improvement to car park management would benefit members of the public visiting the park. There was permission for a multi-storey car park and its construction was dependent on funding streams. The emphasis was however to drive down car dependency.

During discussion members welcomed the scheme and noted that good management of the car park could control the use of parking spaces and ensure that spaces were available for public use. A member suggested that there should be adequate signage for public parking and to signpost the café in the park. The head of planning services advised members that the lease arrangements would be considered at the council's cabinet meeting on 12 June 2013.

RESOLVED, unanimously, to:

- (1) approve application no 12/02266/F Earlham Hall and environs (including the Walled Garden, car park and former nursery and depot sites) University Drive off Earlham Road Norwich and grant planning permission, subject to:
 - (a) the completion of a satisfactory S106 agreement or Undertaking to include the provision of contributions to transport improvements and tree planting;

- (b) the head of planning pursuing with the applicant appropriate signage to the café situated in Earlham Park and publicising the use of the car park by the public;
- (c) the following conditions:

Full Permission Conditions:

1. Standard 3 year full time limit;
2. Development in accordance with the plans and details submitted;
3. Restrict the use of the commercial floor space to Class B1(a), B1(b) and D1 only and for limits to floor space division at 50% Class D1 and 50% Class B1(a), B1(b) maximum;
4. Details of external materials; rainwater goods; joinery; information areas and panels; external lighting; CCTV equipment; materials test bed; repositioned street light;
5. Link to maintenance statement on thatch and submission of details for any alternative repair finish;
6. Details and requirement for link to UEA travel plan;
7. Details of management of car park; layout and resurfacing; ticket machines; barriers;
8. Timings for full public use of car park;
9. Details of construction method statement;
10. Limit on delivery times;
11. Details of bin stores; cycle stores and stands; service areas; barriers; energy centre; bollards to main access road and link road to Earlham Hall; bus stop;
12. Details of University Drive alterations at EC building and implementation within 6 months of occupation;
13. No use of the EC building until the Management of car park has been secured and implemented;
14. No occupation of EC building until courtyard spaces and temporary link have been provided and retained open for use;
15. Details conditions for arboricultural site meeting; supervision details and supplementary method statements;
16. Compliance with AIA; AMS; supplementary documents etc
17. Retention of tree protection;
18. Details of landscaping treatment including replanting; enclosures and boundary treatments and retention of the walled garden as a grassed setting; biodiversity/ecology enhancements; sportspark planting; planting schedules; implementation programme; maintenance agreement;
19. Details of contamination RMS
20. Contamination action verification;
21. Long term contamination monitoring and maintenance plan;
22. Stop if unknown contamination found;
23. Details of imported top soil;
24. Details surface water strategy, maintenance SUD's;
25. Infiltration only used were demonstrated that will not pose risk to groundwater;
26. Details foul water strategy;
27. Details for the provision of renewable or low carbon technologies on site;

- 28. Details of water efficiency measures;
- 29. Details of scheme of further archaeological investigation;
- 30. Provision for archaeological analysis;
- 31. Development to take place in accord with agreed archaeological conditions;
- 32. Details of plant and machinery;
- 33. Details fume and flue extracts;
- 34. Provision of fire hydrants.

Outline Permission Conditions to include:

- 35. Standard outline time limit;
- 36. Reserved matters to relate to appearance and landscaping;
- 37. Reserved matters to be in line with the parameters set out within the outline application;
- 38. Reserved matters submissions for hard and soft landscaping and new on site links infrastructure including biodiversity mitigation and enhancement measures; including annual maintenance plans and management responsibilities.
- 39. Conditions for arboricultural implications assessments and updated ecological surveys and reports with full details of mitigation and enhancement measures proposed;
- 40. Conditions for compliance with arboricultural and ecology information;
- 41. Conditions for the provision of cycle parking and servicing areas;
- 42. No occupation until the permanent east west link is provided and then retained;
- 43. Submission of reserved matters design details including details of external materials; rainwater goods; joinery; external lighting; CCTV equipment; information areas and panels;
- 44. Details of finished floor levels of all proposed buildings;
- 45. Restrict the use of the commercial floor space to Class B1(a), B1(b) and D1 only and for limits to floor space division at 50% Class D1 and 50% Class B1(a), B1(b) maximum ;
- 46. Provision of and link to UEA travel plan;
- 47. Link to car park management scheme;
- 48. Timings for full public use of car park;
- 49. Details of construction method statement;
- 50. Conditions to deal with contamination issues;
- 51. Conditions to deal with surface water drainage proposals and for the provision of drainage and future management and maintenance of the surface water drainage infrastructure;
- 52. Condition to deal with foul drainage proposals;
- 53. Details for the provision of renewable or low carbon technologies on site;
- 54. Details of water efficiency measures;
- 55. Details of plant and machinery;
- 56. Details fume and flue extracts;
- 57. Provision of fire hydrants.

Informatives:

Environment Agency comments on drainage, contamination and ground works.
Anglian Water comments on drainage.
Considerate constructor.

Gas protection information.

Asbestos.

UXO's –

Timing of works to avoid disruption/nuisance to wildlife

(Reasons for approval: The proposed development would provide employment and educational facilities in line with the site allocation and would contribute significantly to the identified need in Norwich. The EC building is seeking to be an exemplar in design and in the use of sustainable and natural materials and achieving passivhaus standard, and great weight should therefore be attached to this aspect of the design. The scheme aims to achieving high standards of energy efficiency and both parts of the scheme will provide learning benefits in low zero carbon development. Phase II is designed to fit within the area using existing features and contours to benefit the scheme and reduce any potential impacts to heritage assets. The parameters are considered to provide for a high quality design to be agreed at reserved matters stage. The layout of the site and parameters proposed are considered to take into account the constraints and opportunities of the site, link green infrastructure and provide new open space.

The works have suitable regard to the context and importance of the listed buildings within this part of the conservation area and will improve accessibility and bring the area back into beneficial use. The impact of the proposed development upon the historic landscape of the application site will be positive, with many enhancements proposed which seek to reinforce the landscape character where recent developments have eroded the local setting. The biodiversity of the site is largely protected and improvements are suggested as part of the development. The wider improvement and sensitive development of the wider curtilage of the Hall, which has for many years been neglected, will ensure a more sustainable future for the overall site and therefore the Hall itself. Subject to the mitigation proposed including the restriction on car parking, incorporation of the site into the UEA travel plan, sustainable access and dual use of an improved and managed Earlham Park car park the development is not considered to have any significant transportation impacts or to impact on the use of facilities within the area.

In terms of amenity there are not considered to be significant impacts arising from the development and it is considered that the proposals would provide for a satisfactory level of amenity for the area. The potential impact of development to the surface water and foul drainage has been considered and suitable measures can be taken to address any issues which arise. Taking the above matters into account and information submitted it is considered that on balance, subject to conditions and suitable legal agreement that the proposed development is considered to be acceptable. As such, the proposal would meet with relevant saved policies EMp16, EMP19, EP16, EP17, EP18, EP20, EP22, HBE4, HBE8, HBE9, HBE12, NE8, NE9, SR3, SR8, SR12, TRA3, TRA5, TRA6, TRA7, TRA8, TRA10, TRA11, TRA12, TRA14 and TRA15 of the City of Norwich Replacement Local Plan Adopted Version, November 2004, relevant policies of the Development Management Policies Development Plan Document – Pre-submission (April 2013), allocation R42 of the Site Allocations Development Plan document – Pre-submission (April 2013), policies 1, 2, 3, 5, 6, 7, 9 and 20 of the adopted Joint Core Strategy 2011, the NPPF and relevant Policy Guidance and all other material considerations.

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application and application stage the application has been approved subject to appropriate conditions and for the reasons outlined above.

(2) to grant listed building consent Application No 12/02331/L Earlham Hall and environs (including The Walled Garden, Car Park and Former Nursery and Depot Sites, University Drive Off Earlham Road Norwich) subject to the following matters being conditioned:

1. Commencement within 5 years.
2. Works in accordance with drawings etc.
3. Details site recording.
4. Making good after works/demolition.

(Reasons for approval: The works proposed to the wall have suitable regard to the context and importance of the listed buildings within this part of the conservation area and will improve accessibility and bring the area back into beneficial use. The proposed east – west pathway involved with the works will be a significant improvement to the access design for the area and open up historic links to the University Drive area which have been prevented for several decades. The repairs and elements of renovation and extension will be acceptable in appearance with very limited visual or historic impact arising, The proposed works are therefore considered to not lead to any significant harm to the heritage assets within the area in accordance with the National Planning Policy Framework, policies 1, 2, 5 and 7 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk March 2011, saved policies HBE8, HBE9 and HBE12 of the adopted City of Norwich Replacement Local Plan 2004, relevant policies of the Development Management Policies Development Plan Document – Pre-submission (April 2013) and relevant Policy Guidance and all other material considerations.)

5. 13/00157/F UNIVERSITY OF EAST ANGLIA EARLHAM ROAD, NORWICH NORFOLK, NR4 7TJ

(Councillor Ackroyd left the meeting during this item.)

The senior planner (development) presented the report with the aid of plans and slides.

A local resident addressed the committee and outlined his objections to the proposal in relation to the provision of a temporary access route for construction traffic; expressing concern that the safety audit for Bluebell Road was flawed; and that the proposed parking for residents at the Blackdale School site was inconvenient. Councillor Bremner, University Ward councillor, agreed that Blackdale School was too far away from people's homes and other options were explored. He suggested that the parking spaces on University Drive should be allocated to residents for the duration of the construction.

The architect addressed the committee and explained the sustainability credentials of the proposed building to provide student accommodation from 2014. There had

been a meeting with residents in February 2013. The proposed temporary access for construction vehicles would be a lower risk than the alternative of construction traffic coming back around the campus. He referred to the county council's traffic safety statistics and said that these should be considered in context of eight slight injuries occurring over a five year period.

The senior planner referred to the supplementary report of late updates to reports and said that the safe egress and access to the site by construction traffic was conditioned. The provision of alternative parking that was nearer to residences than Blackdale School would also be explored with the applicant.

In reply to a question, the senior planner explained that the relocation of two disabled car parking spaces was to ensure that the spaces were as close as possible to the residences, whilst minimising car parking provision generally.

RESOLVED to approve application no 13/00157/F University of East Anglia, Earlham Road, Norwich, Norfolk, NR4 7TJ and grant planning permission, subject to further consideration of temporary provision for resident car parking during the construction, and the following conditions:-

1. Commencement within 3 years.
2. In accord with plans and details.
3. Details of a) external materials/features to include cladding; joinery, external louvers and solar shading; and feature colour to entrance;
4. Details of a) walls, fences, bollards and other means of enclosure; b) external lighting; c) CCTV systems; d) bin stores; and e) bicycle parking/storage
5. Provision temporary access and access management.
6. Works to highway to enable temporary access.
7. Arboricultural site meeting.
8. Details of additional AMS.
9. Works in accord with AIA and further details.
10. Retention tree protection and no changes within areas.
11. Details landscaping including biodiversity enhancement; tree replacement; hard surfacing to paths and parking areas; implementation programme; planting schedules and landscape maintenance.
12. Details of the green wall system.
13. Details of surface water drainage features and connections.
14. Energy provision to link to Campus LZC technologies.
15. Details water conservation measures.
16. Details of contamination assessment.
17. Details of contamination verification.
18. Details of imported topsoil.
19. Details of any plant and machinery.
20. Details of fume extraction system.
21. Details fire hydrant position and maintenance.

(Reasons for approval: It is considered that the redevelopment of the site for the erection of a new student residences building incorporating student community facilities is acceptable in principle. The proposal would result in an appropriate form of development that would further enhance educational facilities at the University of East Anglia. Subject to conditions, the proposal is considered to be an appropriate use for this site and is guided by the masterplan for the Campus and existing and

emerging policies. The site is part of an existing Campus and through travel planning and sustainable transport improvements historically is in an accessible location. The nature of the precise uses proposed would complement the surrounding area without giving rise to disturbance to properties beyond the Campus boundary and which are within a predominantly residential area.

The design and layout of the proposal is considered acceptable and provides for adequate replacement landscaping, biodiversity enhancement and tree protection measures and would be unlikely to cause detriment to the visual amenity of the area or heritage and amenity assets within the Campus. The temporary access and measures to limit car parking and provide for alternative modes of sustainable transport are considered suitable. Cycle parking and service provision is appropriate to meet the needs of the proposal and Campus arrangements. Subject to further details and integration into the UEA travel plan the development is unlikely to result in adverse impact on the adjoining highway network.

As such, the proposal would meet with relevant saved policies EMP19, EMP20, EP16, EP17, EP18, EP20, EP22, HBE12, HOU18, HOU19, NE8, NE9, SR12, TRA3, TRA5, TRA6, TRA7, TRA8, TRA10, TRA11, TRA12, TRA14 and TRA15 of the City of Norwich Replacement Local Plan Adopted Version, November 2004, relevant policies of the Development Management Policies Development Plan Document – Pre-submission (April 2013), policies 1, 2, 3, 5, 6, 7, 9 and 20 of the adopted Joint Core Strategy 2011, the NPPF and relevant Policy Guidance and all other material considerations

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application and application stage the application has been approved subject to appropriate conditions and for the reasons outlined above.

Informatives:

Considerate constructors.

Asbestos.

Highways Act.

Site clearance and consideration of wildlife.

(Councillors Henderson and Howard left the meeting at this point.)

6. APPLICATION NOS 13/00113/F AND 13/00115/L FIRE STATION, BETHEL STREET, NORWICH, NR2 1NW

The senior planner (development) introduced the report with the aid of plans and slides and advised members that the applicant had served notice to all of the land owners and that there had been no objections received during the 21 day consultation period. The supplementary report of updates to reports, which was circulated at the meeting, summarised further representations received since the publication of the report, including comments from the county council's travel plan officer and plans and works to the listed building and combining the student and staff cycle storage.

A resident speaking on behalf of the Old Barley Market Residents' Group advised members of the residents' concerns about the proposal, which included lack of consultation from the applicant and concern about access to Old Barley Market and the need for a turning circle. He commended the senior planner and conservation officer for their work on the application and efforts to reconcile the different interests and create a scheme which all parties could be satisfied with.

The applicant spoke in support of the application, confirming the suitability of the building for conversion to an educational establishment which was in a sustainable location and did not require any car parking provision.

During discussion a member commended the comments of the Norwich Society and sought clarification on whether there would be any signage. The senior planner said that signage would be subject to separate advertisement and listed building consents and brought back to committee if necessary. He advised members that residents and visitors to Old Barley Market would not be required to reverse into Bethel Street as the proposals included a turning circle and the location of the cycle store had been moved. Members also expressed concern about the cycle storage not being secure and that the travel plan was incomplete and that despite it, there would be an element of drivers dropping off students in the vicinity of the free school. The senior planner advised members that the travel plan officer and transport planners had confirmed the measures proposed were acceptable. Members were advised that the applicant's commitment to the free school being operational from September 2013, having a back up plan and political views were not material considerations to this planning application.

Discussion ensued in which the head of planning services, the solicitor and the senior planner answered members' questions. Some members expressed concern that the proposed change of use of the building to an educational establishment was contrary to policy; did not demonstrate a need and would be detrimental to sustainable communities in that it would affect other sixth form centres in the city and greater Norwich area; did not provide much needed housing on the site; concerns about the travel plan and the alterations to the listed fire station and its impact in a conservation area were unacceptable.

Councillor Stonard moved and Councillor Neale moved that the applications be refused on the above grounds. With 3 members voting in favour (Councillors Stonard, Neale and Storie) and three members voting against (Councillors Bradford (chair), Kendrick and Little) and with 3 members abstaining (Councillors Sands, Blunt and Button abstained), the amendment to refuse the applications was lost on the chair's casting vote.

The chair then moved the recommendations as set out in the report and with 3 members voting in favour of approval (Councillors Bradford, Kendrick and Little) and 4 members voting against (Councillors Button, Stonard, Neale and Storie) and 2 members abstaining (Councillors Sands and Blunt) the motion to approve the recommendations as set out in the report was lost.

(The chair then called for a short adjournment, given the length of the meeting and the need for members to take some refreshments before reconvening.)

The chair then proposed a procedural motion that as the committee had not be able to determine the applications at this meeting that the determination of these applications should be deferred to the next committee meeting, which as the first in the new civic year, would comprise other members. Councillor Kendrick seconded this proposal. The head of planning services confirmed that application 13/00113/F could still be determined within its 13-week timescale despite deferral.

RESOLVED, with 8 members voting in favour of deferral (Councillors Bradford, Sands, Kendrick, Button, Blunt, Little, Stonard and Storie) and 1 member voting against (Councillor Neale), to defer further consideration of this item and the determination of planning application nos 13/00113/F and 13/00115/L Fire Station, Bethel Street, Norwich, NR2 1NW to the next committee meeting.

7. APPLICATION NO 13/00259/F HARDWICK HOUSE AGRICULTURAL HALL PLAIN, NORWICH, NR1 3LW

The planner (development) presented the report with the aid of plans and slides.

Councillor Grahame, Thorpe Hamlet ward councillor, had asked that the application be deferred until other matters not material to the planning application were resolved. The planning development manager said that he noted the points made by the local ward councillor but that building and fire regulation issues were not sufficient reason to defer determination of the planning application. The solicitor said that the applicant would need building and fire regulation approval, as well as planning permission before occupancy and this could be received in any order. An informative could be added to the permission.

The planner referred to the report and answered members' questions. The applicant had amended the layout to maximise the amount of daylight to the basement flats.

RESOLVED, with 8 members voting in favour (Councillors Bradford, Sands, Kendrick, Button, Blunt, Little, Neale and Stonard) and 1 member voting against (Councillor Storie) to approve application 13/00259/F, Hardwick House, Agricultural Hall Plain, and grant planning permission subject to the following conditions:

1. Commencement within three years.
2. In accordance with approved plans.
3. Water efficiency.

(Reason for approval: The proposal will bring back an underused part of the building into residential use and contribute to the delivery of much needed housing stock. It is considered that the level of daylighting is sufficient to ensure satisfactory living conditions are provided for future occupants of the flats and that the proposed alterations will not harm the character of the listed building nor of the wider conservation area. Subject to conditions therefore, the proposal is considered acceptable and in accordance with the objectives of Sections 6, 7, 11 and 12 of the National Planning Policy Framework (March 2012), Policies 2, 3, 4, 5, 11 and 20 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), saved policies HBE8, HBE9, HBE12, EP16, EP18, EP22, HOU15, TRA6, TRA7, TRA8 of the City of Norwich Replacement Local Plan (2004), relevant policies of the Development Management Policies Development Plan Document – Pre submission (April 2013) and all other material considerations

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined above.

Informative:

The necessary building and fire regulations must be complied with satisfactorily before first occupation of the building.

8. APPLICATION NO 13/00403/U, 85 GROVE ROAD, NORWICH, NR1 3RT

(Councillor Bradford (chair) left the meeting during this item. Councillor Sands (vice chair) was in the chair for the remainder of the meeting. Councillor Little left the meeting during the item, on a private matter, and although he spoke on the item abstained from voting.)

The planner (development) presented the report with the aid of plans and slides.

A local resident addressed the committee and outlined her objections to the proposed change of use which included: that it was a residential area; lack of consultation with local residents; and, would exacerbate parking problems and conflict in the alley way which served the residents of the adjacent flats.

The planner in response to the issues raised said that there was sufficient parking for the hairdressing operation, which was expected to have no more than eight clients a day, and disputed that it would have more than a minimal impact on neighbours. The planning development manager confirmed that the planning consultation had been in line with normal council policy and that the immediate neighbours and the occupiers of properties within 10m from the boundary of premises had been included.

(The chair left the meeting at this point. Councillor Sands as vice chair was in the chair for the remainder of the meeting.)

During discussion the planner and the planning development manager answered members' questions and members expressed concern about the compatibility of the impact of the business with the needs of a residential area, including parking, children playing and the affect on local residents. Members were advised that there was no requirement for hairdressers to provide toilets as part of the planning permission for an application of this size. A member expressed sympathy for the adjacent neighbours and pointed out that this application could result in other applications to change residential properties to commercial.

Discussion ensued in which members were minded to refuse the application because of the effect that it would have on residents in terms of parking and access; that the proposed change of use was incompatible with a residential area and would lead to further applications. The planner advised members that the proposed change of use was compatible with national planning policy guidelines and that it

was a flexible working practice, was low intensity and did not present a hazard to the access road. The hours of operation could be covered by conditions.

Councillor Little, Town Close ward councillor, said that as a local member he considered that the applications should be refused on the grounds that there was insufficient parking for a commercial operation and that the alleyway was very narrow.

Councillor Stonard moved and Councillor Kendrick seconded that the application should be refused as the change of use of a residential property to business use was inappropriate for a residential area; increased traffic and that pressure on car parking would impact on local residents.

RESOLVED, with 7 members voting in favour of refusal (Councillors Stonard, Kendrick, Sands, Button, Blunt, Neale and Storie) and 1 member abstaining (Councillor Little, having been absent from the room for part of the consideration of this item) to refuse application no 13/00403/U, 85 Grove Road, Norwich, NR1 3RT on the grounds minuted above and to ask the head of planning services to provide the reasons for refusal in planning policy terms.

(Reasons for refusal (subsequently provided by the head of planning services):

1. The amount of parking proposed would result in an unacceptable loss of private amenity space for the occupiers of the dwellinghouse, contrary to saved policies EMP1 and EP22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).
2. The increase in traffic flow from customers to the proposed rear parking area down the single-carriageway narrow Langham Place will result in increased danger to pedestrians due to the lack of a dedicated footpath, contrary to saved policies EMP1 and TRA5 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).
3. The conversion of part of the dwellinghouse to commercial use is considered unacceptable due to the further incursion of commercial premises into a residential terrace, detrimentally affecting its residential character, contrary to saved policy EMP1 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations. Whilst a scheme has been given a recommendation for approval by officers elected members considered for the reasons outlined above that on balance and in light of the above policies that the application was not acceptable. The applicant is advised that no further planning fee would be payable for any resubmission for development of the same character or description on the same site and by the same applicant within 12 months of the date of this refusal. The applicant is also advised of the Council's pre-application service, further details of which can be found at the following web link:
<http://www.norwich.gov.uk/Planning/pages/Planning-Pre-ApplicationAdviceService.aspx>)

9. ENFORCEMENT CASE NO 13/00010/EXTEN/ENF – 13 TRAFALGAR STREET, NORWICH, NR1 3HW

RESOLVED, having considered the report of the head of planning services, to authorise enforcement action in relation to case no 13/00010/EXTEN/ENF – 13 Trafalgar Street, Norwich, NR1 3HW up to and including prosecution in order to secure the removal of the unlawful structure (enclosure of the first floor balcony area).

10. ENFORCEMENT CASE NO 12/00070/CONSRV/ENF – 124 EARLHAM ROAD, NORWICH, NR2 3RF

RESOLVED, having considered the report of the head of planning services, to authorise enforcement action in relation to case no 12/00070/CONSRV/ENF – 124 Earlham Road, Norwich, NR2 3RF up to and including prosecution in order to secure the removal of the unlawful uPVC casement windows.

CHAIR